

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DENISE S.,

Plaintiff,

V.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. C18-1101-JPD

ORDER GRANTING THE  
COMMISSIONER'S MOTION TO  
DISMISS

This matter comes before the Court on the Commissioner's motion to dismiss for lack of subject-matter jurisdiction. Dkt. 14. Specifically, the Commissioner asserts that plaintiff failed to timely initiate this action challenging the Commissioner's denial of her claim for disability benefits under Titles II and XVI of the Social Security Act. *Id.* Plaintiff failed to respond to the Commissioner's motion to dismiss.

The Commissioner has submitted evidence indicating that plaintiff's complaint was timely. Dkt. 14-1. Specifically, plaintiff initiated this action twenty-six days after the one for filing a complaint. In addition, plaintiff has not alleged or demonstrated any good cause to obtain an extension for review, and plaintiff failed to oppose the Commissioner's motion. Accordingly, the Court ORDERS that the Commissioner's motion to dismiss this

1 action with prejudice, Dkt. 14, is GRANTED.

2 The Clerk is directed to send a copy of this Order to plaintiff and counsel for  
3 defendant.

4 DATED this 13th day of November, 2018.

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6 JAMES P. DONOHUE  
7 United States Magistrate Judge

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